

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CHRISTOPHER SMITH,

Petitioner,

v.

STEVE SINCLAIR,

Respondent.

NO: 12-CV-5169 -JPH

ORDER ADOPTING REPORT AND
RECOMMENDATION

Magistrate Judge Hutton filed a Report and Recommendation on March 7, 2013, recommending that Mr. Smith's Motion to Voluntarily Dismiss his federal habeas action be granted. There being no objections, the Court **ADOPTS** the Report and Recommendation. **IT IS ORDERED** Mr. Smith's Motion, ECF No. 15, is **GRANTED** and the Petition is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, enter judgment, forward a copy to Petitioner and close the file.

DATED April 9, 2013.



Thomas O. Rice
THOMAS O. RICE
United States District Judge